

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

EVELYN JIMENEZ,

Plaintiff,

v.

UNITED STATES OF AMERICA and  
FEDERAL BUREAU OF  
INVESTIGATION,

Defendants.

Case No. 1:24-cv-01376 JLT SKO

ORDER ADOPTING IN FULL THE  
FINDINGS AND RECOMMENDATIONS,  
DISMISSING THE FIRST AMENDED  
COMPLAINT, AND DIRECTING THE  
CLERK OF COURT TO CLOSE THE CASE

(Doc. 9)

Evelyn Jimenez is proceeding *pro se* and *in forma pauperis* in this action seeking to hold the defendants liable for “global identification – Los Banos, CA,” “DMV Identification – Los Banos, CA,” and “other Identification – San Diego and customs and borders – San Diego, CA.” (Doc. 7.)

The magistrate judge reviewed the First Amended Complaint and found that, “despite the explicit recitation of the deficiencies of the original complaint, Plaintiff has failed to plead any cognizable claims.” (Doc. 9 at 1.) Plaintiff failed to plead any “factual allegations in the complaint that identify the basis any federal claim(s),” did not “specify what state statute(s) she finds unconstitutional and what basis she has for doing so, as specified in the Civil Cover Sheet,” did not articulate the relief that she is seeking in the action, and failed to plead “any allegations that would enable the Court to determine any basis by which Plaintiff could bring suit against the

1 United States or the FBI.” (*Id.* at 3–4.) Furthermore, the magistrate judge found Plaintiff  
2 “repeatedly demonstrated that she is unable to marshal facts sufficient to constitute a cognizable  
3 claim and that the addition of more detailed factual allegations or revision of Plaintiff’s claims  
4 will not cure the defects of her amended complaint.” (*Id.* at 5.) Therefore, the magistrate judge  
5 recommended dismissal without leave to amend for failure to state a claim. (*Id.*)

6 The Court served the Findings and Recommendations on Plaintiff and notified her that  
7 any objections were due within 14 days. (Doc. 9 at 1, 5–6.) The Court advised Plaintiff that the  
8 “failure to file objections within the specified time may result in the waiver of rights on appeal.”  
9 (*Id.* at 5–6, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did not  
10 file objections, and the time to do so has passed.

11 According to 28 U.S.C. § 636(b)(1)(C), this Court performed a *de novo* review of this  
12 case. Having carefully reviewed the matter, the Court concludes the Findings and  
13 Recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 14 1. The Findings and Recommendations issued February 27, 2025 (Doc. 9) are  
15 **ADOPTED** in full.
- 16 2. This action is **DISMISSED** due to Plaintiff’s failure to state a claim.
- 17 3. The Clerk of Court is directed to **CLOSE** this case.

18  
19 IT IS SO ORDERED.

20 Dated: **March 25, 2025**

  
UNITED STATES DISTRICT JUDGE